

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTHONY OLIVE,

Plaintiff,

v.

ROGER D. COWAN, et al.,

Defendants.

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Case No. 3:02-cv-945-WDS

**ORDER**

This matter is before the Court on the Motion for Extension of Time filed by the plaintiff, Anthony Olive, on August 22, 2005 (Doc. 16) and the Response to the Order to Show Cause filed by the plaintiff on May 26, 2006 (Doc. 19). For the reasons set forth below, the motion for extension of time is **GRANTED IN PART**.

**BACKGROUND**

On July 29, 2005, the plaintiff was ordered to serve the defendants. The plaintiff failed to do so within the time limits prescribed by Federal Rule of Civil Procedure 4(m). This Court, on May 9, 2006, issued an Order to Show Cause why this matter should not be dismissed for the failure to serve (Doc. 18). In response to that Order, the plaintiff indicates that he did not receive a response from the Court on his motion for extension of time and that he is generally ignorant of the law and his responsibilities. He also states that he wants to file a motion to proceed *in forma pauperis* and a motion for appointment of counsel.

**DISCUSSION**

Based on the plaintiff's response to this Court's Order to Show Cause, it appears that the plaintiff is not abandoning this lawsuit. He also appears to have sought an extension of time to comply with Judge Stiehl's July 29, 2005 Order. As the plaintiff seeks to proceed *in forma*

*pauperis* and indicates that he will be filing a motion to that effect, he is **GRANTED** until **July 5, 2006** to file a motion to proceed *in forma pauperis*. The Court reminds the plaintiff that it cannot give legal advice or otherwise assist the plaintiff in the prosecution of his lawsuit. It is up to the plaintiff to seek whatever relief and take whatever actions he believes is appropriate.

**CONCLUSION**

For the reasons set forth above, the Motion for Extension of Time filed by the plaintiff, Anthony Olive, on August 22, 2005 is **GRANTED IN PART** (Doc. 16).

**DATED: June 5, 2006**

s/ Donald G. Wilkerson  
**DONALD G. WILKERSON**  
**United States Magistrate Judge**